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April 6, 2023

VIA ECF

Hon. Vincent L. Briccetti
United States District Judge
U.S. District Court for the Southern District of New York
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

Re: *Amendment of Complaint in Lost Lake Holding LLC et al v. Town of Forestburgh et al*, No. VB2-cv-10656-

Your Honor:

This letter is submitted in accordance with your Order of March 28, 2023 (ECF No. 52), to notify the Court and the Defendants that Plaintiffs intend to submit an Amended Complaint in this matter. In accordance with your Order, Plaintiffs will submit the Amended Complaint within 14 days of the filing of this letter.

Plaintiffs' Amended Complaint will also include allegations of additional actions undertaken by the Forestburgh Town Board—which flow from the Defendant Zoning Board of Appeals' decision—since the filing of the Complaint. These actions are retaliatory in nature and underscore both the seriousness and urgency of the alleged violations of Plaintiffs' civil rights, and further support the arguments in Plaintiffs' Response in Opposition to Motion to Dismiss filed with this Court on March 27, 2023 (ECF No. 51) that the Plaintiffs have standing and that their claims are ripe.

Respectfully submitted,



Eric W. Treene
Counsel for Plaintiffs